

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-12, 14-24 and 26-28 are pending in this application. Claims 1, 26 and 28 are amended.

In the Office Action dated November 29, 2006, claims 1, 26 and 28 are objected to due to informalities. Claims 1-12, 14-24, 26-28 stand rejected 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with written description requirements. Claims 1, 26-28 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1-3, 5-7, 9-11, 14-15, 19, 20, 22, 24 and 26-28 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon, U.S. Patent No. 5,706,510 in view of Huang, U.S. Patent No. 6,571,245. Claims 4 and 8 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Huang and further in view of Poinor, U.S. Patent No. 6,859,812. Claim 12 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Huang and further in view of Gilmore, U.S. Patent No. 6,647,384. Claims 21 and 28 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Huang and further in view of Ramaley et al., U.S. Patent No. 6,687,741. Claims 16-18 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Huang and further in view of Kawaguchi, U.S. Patent No. 5,832,527. Claims 1-3, 5-7, 9-11, 14-15, 19, 20, 22, 24 and 26-28 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Hendricks et al., U.S. Patent No. 5,313,646. Claims 4 and 8 stand rejected under 35 U.S.C. § 103(a) as being allegedly

unpatentable over Burgoon in view of Hendricks and further in view of Poinor. Claim 12 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Hendricks and further in view of Gilmore. Claims 21 and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Hendricks and further in view of Ramaley et al. Claims 16-18 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Burgoon in view of Hendricks and further in view of Kawaguchi.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Interview at U.S. Patent and Trademark Office

Applicants' representative thanks the Examiner for the courtesies extended during the interview at the U.S. Patent and Trademark Office.

Objections to the Claims

Several claims are objected to due to minor informalities. These informalities have been corrected.

Rejections under 35 U.S.C. § 112, first paragraph

A number of claims stand rejected under 35 U.S.C. § 112, first paragraph, due to the recitation of "local user". Although Applicants continue to believe that there is adequate support in the specification for this recitation, in the interest of advancing the prosecution of this case, Applicants deleted references to "local users" from the claims, and intend to pursue this aspect in

a continuation application. Applicants further note that “local user processes” remain in the claims (not to be confused with local users), and there is clear support for this aspect, since these processes run on a single computer, and are by definition local in this context.

Rejections under 35 U.S.C. § 112, second paragraph

A number of claims stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Applicants have deleted the language at issue from the claims (“at least one”), and believe that this fully addresses the § 112, second paragraph rejections.

A number of claims stand rejected under 35 U.S.C. § 112, second paragraph due to the recitation of “file system access mechanism.” This language has been replaced by the recitation of “file system calls of the operating system”, meaning “open”, “close”, “write”, etc. (see, e.g., specification, page 2, first paragraph). Applicant intends for the new language to have the same scope as the previous language (and, in any event, Applicants believe that one of ordinary skill in the art would readily understand what is meant by either expression, however, in the interests of advancing the prosecution of this case and avoiding controversy over what is essentially semantics, new language is presented for the Examiner’s consideration).

Reconsideration of the § 112 rejections is therefore respectfully requested.

Rejections under 35 U.S.C. § 103(a)

All of the claims stand rejected under 35 U.S.C. § 103(a) based on a combination of Burgoon with Huang, Burgoon with Hendricks, and/or Burgoon with Huang/Hendricks and other references. Although Applicants respectfully disagree with the reasoning expressed in the Office Action, and have on previous occasions explained why Applicants believe that the combination

of Burgoon with virtual desktops (Huang), or with Hendricks, would not result in the claimed invention, nonetheless, in the interest of advancing the prosecution of this case, Applicants have further amended the independent claims.

Specifically, the independent claims have been amended to recite that each user has a file tree, that **file tree is associated with local user processes of that user**, that the user file tree is mounted locally in the file system, that **the user file tree is accessible by the user's local user processes using the file system calls of the operating system** and that **multiple user file trees have the same mounting point**. Support for the language of this amendment may be found, for example, at page 17, lines 23-27, and at page 2 (top of page) and page 18 (bottom of page). At least this aspect of the claimed invention is not disclosed in Burgoon, the primary reference, or any combination of Burgoon with other cited references.

A history-managed file system is an important part of Burgoon, and shared file systems retrieve files from the history-managed file system. However, the shared file system of Burgoon is not the same as the shareable file tree recited in the claims. In essence, in Burgoon, each user has **his own file system** – in addition to the file system used by the OS in Burgoon. If a user attempts to modify an OS file, that file is copied to the user's file system. In this scheme, the user's file system and the OS file system by definition have different mounting points.

Claim 1 of Burgoon illustrates this feature: *“a) constructing a plurality of file versions to be stored within a shared file system, said file versions being constructed from a plurality of file revision archives stored in a history managed file system.”* Such a scheme is clearly different from a single file system having multiple shared trees that are all accessible using OS file system calls and which have the same mounting point.

As Burgoon further discloses, “*A file revision archive 312 is a file comprising various pieces of data which may be used to construct a specific version of a file 302*” (col. 21, lines 51 – 53) and “*Construction of a shared file system 104 is necessary since one cannot directly read a file version 302 stored in a file revision archive 312.*” (col. 22, lines 6 – 8). This disclosure in Burgoon makes it clear that the file system of Burgoon does not contain any file path to which user has direct access via a file path in the shared file tree. In other words, the shareable file system in Burgoon cannot be a part of the OS file system locally mounted in the operating system, nor can it even contain a shareable file tree with the attributes recited in the claims.

Applicants further note that even combining Burgoon with other references, such as Huang or Hendricks, would not result in the claimed combination, since neither of the secondary references teaches this aspect (in the case of virtual desktops, this is obviously irrelevant).

Additionally, the claim aspect “the user file tree is accessible by the user’s local user processes using the file system calls of the operating system” is intended to clearly distinguish the claims over any scheme where remote access is used, such as where a webserver responds to requests from a browser (e.g., Huang’s virtual desktop) – a webserver responding to requests cannot possibly have local user processes, corresponding to the user and using OS file system calls. This, therefore, provides yet another distinction over any combination of Burgoon with Huang or Hendricks.

Thus, since the pending claims recite features that are absent from all of the cited references, Applicants respectfully submit that claims are allowable over any combination of these references. Reconsideration and allowance of all the claims is therefore respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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